

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

ALBERTO WILLIAM VILAR, *et al.*,

Defendants.

No. 05-cr-621 (RJS)

ORDER

RICHARD J. SULLIVAN, Circuit Judge:

The Court is in receipt of the attached letter from Michael M. Baldwin-Sotomayor on behalf of Angelika Jordan, who had previously filed a petition for a criminal ancillary proceeding pursuant to 21 U.S.C. § 853(n). (*See* Doc. No. 841.) Although the first part of the letter purports to be from Ms. Jordan, requesting that the court use Mr. Baldwin-Sotomayor's email address to contact her (as is permissible), the rest of the letter appears to be from Mr. Baldwin-Sotomayor, a non-attorney, advocating on behalf of Ms. Jordan. Accordingly, the Court hereby reminds the interested parties that submissions must come from the parties themselves or their attorney representatives; generally speaking, non-attorneys may not represent others in court proceedings and are not permitted to file submissions advocating on their behalf. *See, e.g., Pridgen v. Andresen*, 113 F.3d 391, 393 (2d Cir. 1997); *Batac Dev. Corp. v. B&R Consultants, Inc.*, No. 98 Civ. 721(CSH), 2000 WL 307400, at \*1–2 (S.D.N.Y. Mar. 23, 2000).

SO ORDERED.

Dated: December 13, 2022  
New York, New York



RICHARD J. SULLIVAN  
UNITED STATES CIRCUIT JUDGE  
Sitting by Designation

Michael M. Baldwin-Sotomayor  
644 East San Ysidro Blvd.  
Suite G-619  
San Ysidro, CA 92173

Judge Richard J. Sullivan  
US District Court SDNY  
500 Pearl Street  
New York, New York 10007

Re: Case Number 05 Cr. 621 (RJS)

This claim is being presented by Michael M. Baldwin-Sotomayor on behalf of Angelika Jordan, a US citizen and California resident with an address of 1009 Springfield Drive, Millbrae, California 94030. Any written communications in connection with this claim should be copied to this address. I, Angelika Jordan, do not have an email address. You may email Michael Baldwin-Sotomayor on my behalf at [msotomayor333@gmail.com](mailto:msotomayor333@gmail.com).

Kenneth Riffle, who was the marketing director of Amerindo Investment Advisors from 1982 to 1995, indicates that this account number was always used while the account was domiciled in Panama. Mr. Riffle shared that Alberto William Vilar and Gary Alan Tanaka verified to him, Mr. Riffle, that this was the account used for, Angelika Jordan. Mr. Riffle indicates that both founders of Amerindo also maintained accounts in Panama. Alberto William Vilar told Angelika Jordan that the account was moved to Panama because Alberto William Vilar and Gary Alan Tanaka had full discretionary trading authority in Panama and wanted her account to be associated with Alberto Vilar thus the sub-account set up in Panama.

This is where the problems began. As was explained to me by Alberto Vilar, Gary Tanaka and Kenneth Riffle the Angelika Jordon account and all her stock holdings were held in a sub-account of Alberto Vilar. So, when the government seized the Alberto Vilar account it was done in one quick action without looking to see how the account was set up thus not seeing that another account (Angelika Jordon) was associated to it. This made sense as when I was speaking to the account receiver I was told that there were not any stock positions and the only assets available were from the investment in the Amerindo Guaranteed Fixed Income Fund (AGFIIF) with an 8% per annum coupon (it appears as \$665,359.19 plus \$23,539.94 in interest for the then first quarter of 2002). It wasn't until I worked extensively with the U.S. Attorney's office and shared the most recent financial statement of March 31, 2002, that they saw all the stock positions that was in the Panama account.

It is because of this quick grab of assets that caused Angelika Jordan to not have the opportunity to make an educated decision to either sell all the stock holdings or to let them work out in the market. As you can see in the later valuations of the stock portfolio Angelika Jordan would have had a substantial increase in the value of her portfolio. As you can also see it was not any of her fault or doing that she is being denied the fair value of her investments.

It is because of all these injustices that we are asking the court to provide a fair settlement to Angelika Jordan. We believe that an amount close to \$3,000,000 would be a fair amount but would accept an amount the court arrives at.

Regards,

Michael M. Baldwin-Sotomayor

